

House Bill 279 (AS PASSED HOUSE AND SENATE)

By: Representatives Floyd of the 147th, Roberts of the 154th, Royal of the 171st, Crawford of the 127th, James of the 135th, and others

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 32-6-26 of the Official Code of Georgia Annotated, relating to weight of vehicle and load, so as to change certain provisions relating to weight limitations for certain types of vehicles; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 32-6-26 of the Official Code of Georgia Annotated, relating to weight of vehicle and load, is amended by striking subsection (g) of said Code section and inserting in its place the following:

"(g)(1) The weight limitations provided for in this Code section, except the limitation in subsections (f) and (h) of this Code section, may be exceeded on any public road within this state which is not a national highway, or when making a pickup or delivery on any public road of a county road system, without a permit only when the load on any single axle does not exceed 23,000 pounds, the load on any tandem axle does not exceed 46,000 pounds, and the maximum total gross weight of the vehicle and load does not exceed 80,000 pounds when:

(A) Hauling forest products from the forest where cut to the ~~owner's place of business, plant, plantation, or residence~~ first point of marketing or processing;

(B) Hauling live poultry or cotton from a farm to a processing plant;

(C) Hauling feed from a feed mill to a farm;

(D) Hauling granite, either block or sawed, or any other naturally occurring raw ore or mineral for further processing, from the quarry or stockpile area to a processing plant located in the same or an adjoining county;

(E) Hauling solid waste or recovered materials from points of generation to a solid waste handling facility or other processing facility; or

(F) Hauling concrete that is in a freshly mixed and unhardened state for delivery to a customer located in the same or an adjoining county.

No lift axle may be used in computing the maximum total gross weight authorized for any vehicle or load under this paragraph.

(2) A vehicle which is hauling the products listed in subparagraph (A), (B), or (C) of paragraph (1) of this subsection or which is hauling any other agricultural or farm product from a farm to the first point of marketing or processing shall be permitted a 5 percent variance from the weight limitations in paragraph (1) of this subsection within a 100 mile radius of the farm or point of origin. Any person who violates the load limitations provided for in this paragraph by exceeding the 5 percent variance shall be fined on the basis of the weight limitations of paragraph (1) of this subsection and not on the basis of the variance allowed by this paragraph.

~~(2)~~(3) Any vehicle carrying a load as authorized in this subsection at night shall be equipped with lights clearly visible for a distance of not less than 300 feet from the front and rear of the vehicle."

SECTION 2

Code Section 32-6-27 of the Official Code of Georgia Annotated, relating to imposition of fines related to violations of the load limitations, is amended by striking subsection (a) of said Code Section and inserting in its place the following:

"(a) Any person who violates the load limitation provisions of Code Section 32-6-26 shall be conclusively presumed to have damaged the public roads, including bridges, of this state by reason of such overloading and shall recompense the state for such damage in accordance with the following schedule:

~~(1) For the first 1,000 pounds of excess weight, 0.8¢ per pound; plus 1.5¢ per pound for the next 2,000 pounds of excess weight; plus 3¢ per pound for the next 2,000 pounds of excess weight; plus 4¢ per pound for the next 3,000 pounds of excess weight; plus 5¢ per pound for all excess weight over 8,000 pounds~~ 5¢ per pound for all excess weight over the allowed weight limitations;"

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.